

BK 0426 PG 0264

STATE MS. - DESOTO CO. *file*

AUG 16 1 01 PM '02

STATE OF MISSISSIPPI
COUNTY OF De SOTO

Robert B. Culbreth III
8043039331

BK 426 PG 264
W.E. DAVIS CH. CLK.

SUBSTITUTED TRUSTEES DEED

WHEREAS, on February 1, 1999, ROBERT B. CULBRETH III AKA ROBERT CULBRETH, UNMARRIED, executed a Deed of Trust to John B. Philip, Trustee for the benefit of EquiCredit Corporation/Ala. & Miss., which Deed of Trust is filed for record in Book 1082 at Page 639, in the office of the Chancery Clerk of De Soto County at Hernando, Mississippi; and

WHEREAS, said Deed of Trust was subsequently assigned to U.S. Bank National Association TR U/A 3-1-99 (EQCC Home Equity Loan Trust 1999-1) by instrument dated February 26, 1999 and recorded in Book 1179 at Page 286 of the aforesaid records; and

WHEREAS, as authorized by the aforesaid Deed of Trust and in strict accordance therewith, U.S. Bank National Association TR U/A 3-1-99 (EQCC Home Equity Loan Trust 1999-1) appointed and substituted J. Gary Massey as Trustee therein in the place and stead of the trustee named in said Deed of Trust or subsequently substituted therein by Substitution of Trustee dated January 14, 2000, and duly filed for record in the office of the aforesaid Chancery Clerk in Book 1182 at Page 248 prior to the first publication and posting of the notice of sale; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, which default continued for a period of time necessary for the holder thereof to declare the entire indebtedness, together with attorney's fees, expenses and costs, immediately due and payable, as was its option so to do under the terms of said Deed of Trust, and default having been made in payment of said amount and the Substituted Trustee having been requested and directed by U.S. Bank National Association TR U/A 3-1-99 (EQCC Home Equity Loan Trust 1999-1) to foreclose under the terms of said Deed of Trust, I did on August 8, 2002, during legal hours, being between the hours of 11:00 a.m. and 4:00 p.m., at the East Front door of the County Courthouse of De Soto County, Hernando, Mississippi, in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi, offer for sale at public auction and sell to the highest and best bidder for cash the following described land and property lying and being situated in De Soto County, Mississippi, being more particularly described as follows, to wit:

Lot 534, Section C, Revised, Greenbrook subdivision, in Section 19, Township 1 South, Range 7 West, Desoto County, MS, as shown on plat recorded in Plat Book 11, Page 13-14, in the office of the Chancery Clerk of Desoto County, MS.

This being the same property as conveyed by Robert B. Culbreath III and Paula D. Culbreath to Robert B. Culbreath in Warranty Deed Book 325, Page 409, dated 11-21-97 recorded 11-25-97 in the Chancery Clerk's office of Desoto County, MS.

Parcel ID Number is: 1074-1904-008534.00

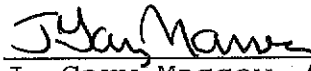
Property Address is: 614 Cape Wood Place Southaven, MS

Said property was sold after strictly complying with all the terms and conditions of said Deed of Trust and the statutes made and provided in such cases. A notice of time, place and terms of said sale, together with a description of the property to be sold, was given by publication in the DESOTO COUNTY TRIBUNE, a newspaper published in De Soto County, Mississippi for four consecutive weeks preceding the date of sale. The first notice of the publication appeared on July 17, 2002, and subsequent notices appeared on July 24, 31, and August 7, 2002, (a certified copy of which is attached hereto,) and a notice identical to the published notice was posted on the bulletin board at the East Front door of the County Courthouse of De Soto County, Hernando, Mississippi for said period of four consecutive weeks. Everything necessary to be done was done to make and effect a good and lawful sale.

At said Sale, James C. Thornton bid for said property in the amount of \$ 52,495.19, which being the highest and best bid, the same was then and there struck off to James C. Thornton, and he was declared the purchaser thereof.

NOW THEREFORE, in consideration of the full payment of the purchase price, I, the undersigned Substituted Trustee, do hereby sell and convey unto James C. Thornton the land and property herein described. I convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, August 8, 2002.


J. Gary Massey, Substituted Trustee

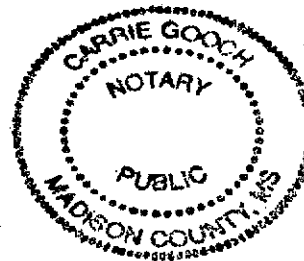
STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for said county and state, on August 8, 2002, the within named J. Gary Massey, Substituted Trustee, duly identified before me, who acknowledged that in said representative capacity he executed the above and foregoing instrument, after having first been duly authorized to do so.

Carrie L. Gooch
Notary Public

My Commission Expires:

~~Notary Public, State of Mississippi At Large~~
~~My Commission Expires: February 20, 2004~~
~~Bonded Thru Heiden, Brooks & Garland, Inc~~



GRANTOR'S ADDRESS:

J. Gary Massey, Substitute Trustee
1910 Lakeland Drive, Suite B
Jackson, MS 39216
601-981-9299
S&M #02-1097

GRANTEE'S ADDRESS:

8740 Oakwood Lane
Olive Branch, MS 38654
(662) 342-6210
342-6210 901-541-0241

PREPARED BY:

J. Gary Massey, Substitute Trustee
Shapiro & Massey, L.L.P.
1910 Lakeland Drive, Suite B
Jackson, MS 39216
(601) 981-9299

INDEX: LOT 534, SECTION C, REVISED, GREENBROOK SUBDIVISION, IN
S19, T1S, R7W, DESOTO COUNTY, MS

THE DESOTO COUNTY
TRIBUNE

BK 0426 PG 0267

P.O. Box 486
Olive Branch, MS 38654

601-895-6220

DAVID GRISHAM
GENERAL MANAGER

Proof of Publication

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, a Notary Public in and for said County and State, DAVID GRISHAM, general manager of the DeSoto County Tribune, a newspaper published in the City of Olive Branch and having a general circulation in said County, who being duly sworn, deposed and said that the publication of a notice of which a true copy is hereto affixed, has been made in said newspaper for a period of 4 weeks consecutively, as follows, to wit:

In Vol. <u>XXVIII</u>	No. <u>32</u>	, dated the <u>7th</u>	day of <u>AUG</u>	, <u>2002</u>
In Vol. <u>XXVIII</u>	No. <u>31</u>	, dated the <u>31st</u>	day of <u>JUL</u>	, <u>2002</u>
In Vol. <u>XXVIII</u>	No. <u>30</u>	, dated the <u>24th</u>	day of <u>JUL</u>	, <u>2002</u>
In Vol. <u>XXVIII</u>	No. <u>29</u>	, dated the <u>17th</u>	day of <u>JUL</u>	, <u>2002</u>
In Vol. <u>XXVIII</u>	No. _____	, dated the _____	day of _____	, _____

and that the DeSoto County Tribune has been published continuously for a period of more than one year.

David Grisham
GENERAL MANAGER

Sworn to and subscribed before me, this 7th
day of Aug, 2002

(SEAL) Lisa F. Gheorghiu

NOTARY PUBLIC

DESO

COUNTY

MY COMMISSION EXPIRES

MARCH 29, 2005

My commission expires

To SHAPIRO & MASSEY

for taking the annexed publication of 470

words or the equivalent thereof for a total of FOUR(4)

times \$ 197.40, plus \$3.00 for making a proof

of publication and depositing to same for a total cost

of \$ 200.40

**SUBSTITUTED TRUSTEE'S
NOTICE OF SALE**

WHEREAS, on February 1, 1999, ROBERT B. CULBRETH III AKA ROBERT CULBRETH, UNMARRIED, executed a certain deed of trust to John B. Philip, Trustee for the benefit of EquiCredit Corporation / Ala. & Miss., which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi in Book 1082 at Page 639; and

WHEREAS, said Deed of Trust was subsequently assigned to U.S. Bank National Association TR U/A 3-1-99 (EQCC Home Equity Loan Trust 1999-1) by instrument dated February 26, 1999 and recorded in Book 1179 at Page 286 of the aforesaid Chancery Clerk's office; and

WHEREAS, U.S. Bank National Association TR U/A 3-1-99 (EQCC Home Equity Loan Trust 1999-1) has heretofore substituted J. Gary Massey as Trustee by instrument dated January 14, 2000 and recorded in the aforesaid Chancery Clerk's Office in Book 1182 at Page 248; and

WHEREAS, default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said deed of trust, U.S. Bank National Association TR U/A 3-1-99 (EQCC Home Equity Loan Trust 1999-1), the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale.

NOW, THEREFORE, I, J. Gary Massey, Substituted Trustee in said deed of trust, will on August 8, 2002 offer for sale at public outcry and sell within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), at the East Front door of the County Courthouse of DeSoto County, located at Hernando, Mississippi, to the highest and best bidder for cash the following described property situated in DeSoto County, State of Mississippi, to-wit:

Lot 534, Section C, Revised, Greenbrook subdivision, in Section 19, Township 1 South, Range 7 West, DeSoto County, MS, as shown on plat recorded in Plat Book 11, Page 13-14, in the office of the Chancery Clerk of DeSoto County, MS.

This being the same property as conveyed by Robert B. Culbreth III and Paula D. Culbreth to Robert B. Culbreth in Warranty Deed Book 325, Page 409, dated 11-21-97 recorded 11-25-97 in the Chancery Clerk's office of DeSoto County, MS.

Parcel ID Number is: 1074-1904-008534.00

Property Address is: 614 Cape Wood Place Southaven, MS

I WILL CONVEY only such title as vested in me as Substituted Trustee.

WITNESS MY SIGNATURE on July 11, 2002.

/s/ J. Gary Massey

SUBSTITUTED TRUSTEE

Shapiro & Massey, L.L.P.
1910 Lakeland Drive, Suite B
Jackson, MS 39216
(601) 981-9299

July 17, 24, 31, Aug. 7-occ.

ret
Granger